



DAC/2631  
#11

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Itzik BEN-BESSAT et al.	)		
	)		
Serial No.: 09/880,103	)	Group:	TBA
	)		
Filed: June 14, 2001	)	Examiner:	TBA
	)		
For: SATELLITE COMMUNICATION CARD	)	Atty Dkt:	5193.00009
	)		

**REQUEST FOR RECONSIDERATION FOR  
RENEWED PETITION UNDER 37 CFR 1.137(B) AND  
RESUBMISSION OF FULLY EXECUTED DECLARATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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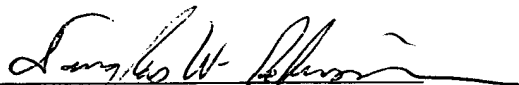
Sir:

In the "Decision Refusing Status Under 37 CFR 1.47(a)" mailed June 26, 2002 (copy attached), it was stated that the Petition filed May 22, 2002 has been dismissed for failure of one of the inventors to initial and date the changes he made on the Declaration to his address and citizenship. Accordingly, Applicants respectfully re-submit the Joint Declaration signed by all of the inventors with changes properly initialed and dated by inventor Yossi GAL.

The Patent Office is authorized to charge any fees deemed necessary to keep this application in force. Such fees should be charged to Deposit Account No. 19-0733.

Should any questions remain, please contact the undersigned attorney at the local telephone number.

Respectfully submitted,

  
Douglas W. Robinson  
Registration No. 32,751

DWR:jljg

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Dated: July 19, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE



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Commissioner for Patents  
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WASHINGTON DC 20001

JUN 26 2002

In re Application of:  
Itzik Ben-Bassat et al.  
Application No. 09/880,103  
Filed: June 14, 2001  
Attorney Docket Number: 05193.00009:DECISION REFUSING  
STATUS  
UNDER 37 CFR 1.47(a)

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This is a decision on the Petition under 37 CFR 1.137(b), filed October 5, 2001, to revive the above-identified application.

The petition is dismissed.

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Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

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### Background

The application became abandoned for failure to timely and properly reply to the Notice to File Missing Parts of Application ("Notice") mailed August 13, 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice, and required, in relevant part, a fully executed oath or declaration.

A petition under 37 CFR 1.47(a) and a request for a three (3) month extension of time were filed on Monday, January 14, 2002. The petition was dismissed for failing to meet the requirements of a grantable petition under 37 CFR 1.47(a). The application subsequently went abandoned on January 14, 2002. The mailing of this decision precedes the mailing of a Notice of Abandonment.

### The Instant Petition

With the instant petition, petitioner files an executed oath/declaration noting the joinder of the inventors. However, it is noted that the residence, citizenship, and post office address of the thirteenth inventor have been altered.

### Applicable Law

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may met by the filing of a notice of appeal and the requisite fee; a continuing application; an amendment or request for reconsideration which prima facie places the application in condition for allowance, or a first or second submission under 37 CFR 1.129(a) if the application has been pending for at least two years as of June 8, 1995, taking into account any reference made in such application to any

earlier filed application under 35 USC 120, 121 and 365(c); (2) the petition fee required by 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)). This petition lacks item (1) above.

As to item (1), the oath or declaration has been altered, however, the alterations have not been initialed and/or dated as is required by 37 CFR 1.52(c). A properly executed oath or declaration which complies with 37 CFR 1.67(a) is required. See, MPEP 605.04(a).

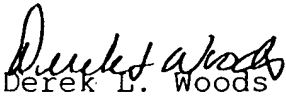
Further correspondence with respect to this matter should be addressed as follows:

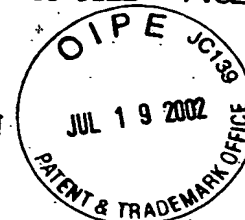
By mail: Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

By FAX: (703) 308-6916  
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23  
2201 S. Clark Place  
Arlington, VA 22202-3513

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.

  
Derek L. Woods  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



## JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled SATELLITE COMMUNICATION CARD, the specification of which

☐ is attached hereto.

☒ was filed on June 14, 2001 as Application Number 09/880,103 and was amended on \_\_\_\_\_ (if applicable).

☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. \_\_\_\_\_, filed \_\_\_\_\_, and amended on \_\_\_\_\_ (if any).

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We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

### Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority claimed Under 35 U.S.C. §119

### Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/211,528	15 June 2000	Yes

### Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status: <input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending, Abandoned
09/274,953	23 March 1999	Pending

Banner & Witcoff Ref. No.  
Client Ref. No.

00354.00019

202 508 9122

202 508 9122 P.03/05

### Power of Attorney

And we hereby appoint, both jointly and severally, as my attorneys, all Banner & Witcoff, Ltd. attorneys indicated therein under PTO Customer Number #22907, with full power of submission and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office.

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.  
Customer Number: 22907 (WDC)

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature [Signature] Date 13/11/2001  
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Signature [Signature] Date 14/11/2001  
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BANNER & WITCOFF, LTD.

Banner & Witcoff Ref. No.  
Client Ref. No.

00354.00019

**Power of Attorney**

And we hereby appoint, both jointly and severally, as my attorneys, all Banner & Witcoff, Ltd. attorneys indicated therein under PTO Customer Number #22907, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office.

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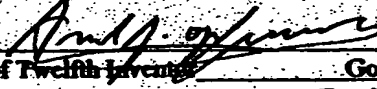
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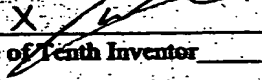
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Signature

*Yossi Gal*

Date

*10/12/01*

Full Name of Thirteenth Inventor

Gal

Yossi

Family Name

First Given Name

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*Y.G. 7/9/02*

*Y.G. 7/9/02*